

## **REMARKS**

In view of the above amendments and the following remarks, reconsideration and further examination are respectfully requested.

### **I. Amendments to the Drawings**

As mentioned above, proposed drawing amendments are submitted herewith under a separate cover letter. These drawing amendments are submitted in order to overcome the objections to the drawings in items 1 and 2 on pages 2 and 3 of the Office Action. No new matter has been added.

Regarding the objection in item 1, Figures 5, 6, 10, 19 and 27 have been amended to include a readily identifiable directional flow of each block, as required by 37 CFR 1.84(n).

Regarding the objection in item 2, Figures 35-41(B) have been amended to be identified as prior art.

As a result, withdrawal of the objections to the drawings is respectfully requested.

### **II. Title of the Invention**

In accordance with Examiner's request, the title of the invention has been amended. The invention is now titled "FIELD/FRAME ADAPTIVE CODING AND DECODING METHOD WITH FIELD/FRAME INDEX AND APPARATUS FOR PERFORMING THE SAME."

### **III. Amendments to the Specification and Abstract**

The specification and abstract have been reviewed and revised to improve their English grammar as well as address the objection identified on page 3 of the Office Action. Specifically, as requested in the objection a cross-reference to related applications for claiming benefit of earlier priority is mentioned in the first paragraph of the disclosure. Therefore, withdrawal of this objection is respectfully requested.

The amendments to the specification and abstract have been incorporated into a substitute specification and abstract. Attached are two versions of the substitute specification and abstract, a marked-up version showing the revisions, as well as a clean version. No new matter has been added.

### **IV. Amendments to the Claims**

Independent claims 44 and 51 have been amended to overcome the 35 U.S.C. § 101 rejection discussed below.

It is also noted that claims 44, 45 and 47-56 have been amended to make a number of editorial revisions thereto. These editorial revisions have been made to place the claims in better U.S. form. Further, these editorial revisions have not been made to narrow the scope of protection of the claims, or to address issues related to patentability, and therefore, these amendments should not be construed as limiting the scope of equivalents of the claimed features offered by the Doctrine of Equivalents.

## **V. 35 U.S.C. §101 Rejection**

Claims 44-49 and 51-56 were rejected under 35 U.S.C. § 101 for failing to tie the claimed method to another statutory class (e.g., an apparatus).

Independent claims 44 and 51 have been amended to tie the claimed method to a specific apparatus. As a result, withdrawal of this rejection is respectfully requested, since independent method claims 44 and 51 and claims 45-49 and 52-56 that depend therefrom are now tied to an apparatus.

## **VI. 35 U.S.C. § 102 Rejection**

Claims 51 and 56 were rejected under 35 U.S.C. § 102(a) as being anticipated by the Applicant Admitted Prior Art (AAPA). This rejection regarding independent claims 51 and 56 is believed clearly inapplicable to independent claim 51 and the claims that depend therefrom for the following reasons.

Independent claim 51 recites coding method for coding blocks of picture data, including generating a sequence of commands for respectively assigning frame-indices, used for frame coding, to reference frames of the blocks of picture data. Moreover, claim 51 recites adaptively switching, on a block-by-block basis of the blocks of picture data, between frame coding and field coding. In addition, claim 51 recites specifying (in a case where field coding is performed on a block of picture data) a reference field (which is referred to when coding the block of picture data) according to a field-index which is (i) for field coding the block of picture data and (ii) generated using a frame-index of assigned frame-indices assigned by a sequence of commands.

The structure required by claim 51, enables a sequence of commands to simultaneously correspond to a frame and a field, and enables a reference index to be appropriately used for either frame coding or field coding, when coding a block while adaptively switching between frame coding and field coding on a block-by-block basis.

The AAPA fails to disclose or suggest the above-mentioned distinguishing features, as recited in claim 51 for the following reasons.

Initially, Applicants note that the above-mentioned rejection relies on “P1T to P3B” as illustrated in Fig. 41B and “P1 to P3” as illustrated in Fig. 41A for disclosing the claimed field index (see item 7 on pages 5 and 6 of the Office Action). The Applicants do not agree with such an assertion for the following reasons.

Contrary to the assertion in the rejection, “P1 to P3” illustrated in Fig. 41A and “P1T to P3B” illustrated in Fig. 41B are neither reference indices as illustrate in Fig. 38 nor picture numbers. Specifically, Fig. 41B illustrates a field component (i.e., P1T to P3B) when a reference picture is referred to as a field, and Fig. 41A, illustrates a frame component (i.e., P1 to P3) when a reference picture is referred to as a frame.

Furthermore, Applicants note that item 7 of the Office Action relies on Fig. 38 for teaching that an index is incorporated into a sequence of commands, as illustrated in Figs. 41A and 41B. However, Applicants submit that applying the indices illustrated in Fig. 38 to the field component illustrated in Fig. 41B requires six reference indices and a corresponding sequence of commands. Likewise, Applicants submit that applying the indices illustrated in Fig. 38 to the frame component illustrated in Fig. 41A required three reference indices and a different corresponding sequence of commands.

Thus, in view of the above, it is clear that the AAPA merely teaches that a reference index can be applied to a field component according to one type of commands and that a reference index can be applied to a frame component according to another type of commands, but fails to disclose or suggest generating a sequence of command for respectively assigning frame-indices, used for frame coding, to reference frames of the blocks of picture data, and specifying (in a case where field coding is performed on a block of picture data) a reference field (which is referred to when coding the block of picture data) according to a field-index which is (i) for field coding the block of picture data and (ii) generated using a frame-index of assigned frame-indices assigned by a sequence of commands, as required by claim 51.

In other words, based on the disclosure of the AAPA it is not possible to successfully determine a sequence of commands that simultaneously correspond to a frame and a field, as required by claim 51, because according to the AAPA a sequence of commands cannot simultaneously correspond to a frame and a field.

Specifically, Applicants note that an acknowledged shortcoming of the AAPA is that it is not possible so successively determine a sequence of commands for assigning a reference index when coding a block while adaptively switching between frame and field coding on a block-by-block basis. On the other hand, the structure of claim 51 enables a sequence of commands to simultaneously correspond to a frame and a field.

Therefore, because of the above-mentioned distinctions it is believed clear that independent claim 51 and 52-56 that depend therefrom are not anticipated by the AAPA.

Furthermore, there is no disclosure or suggestion in the AAPA or elsewhere in the prior art of record which would have caused a person of ordinary skill in the art to modify the AAPA

to obtain the invention of independent claim 51. Accordingly, it is respectfully submitted that independent claim 51 and claims 52-56 that depend therefrom are clearly allowable over the prior art of record.

## **VII. 35 U.S.C. § 103(a) Rejections**

Claims 44-50, 52-55 and 57 were rejected under 35 U.S.C. § 103(a) as being unpatentable over various combinations of the AAPA and NPL Draft ITU-Rec. H.264 (NPL). These rejections are believed clearly inapplicable to amended independent claims 44, 50 and 57 and the claims that depend therefrom for the following reasons.

Independent claims 44, 50 and 57 are directed to a method, an apparatus, and an apparatus, respectively, that recite limitations that are similar to the “generating,” and “specifying,” as recited in independent claim 51. Thus, for the same reasons discussed above, it is respectfully submitted that independent claims 44, 50 and 57 and claims 45-49 that depend therefrom are allowable over the combination of the AAPA and the NPL.

Additionally, Applicants note that claims 52-55 depend from independent claim 51, which, as discussed above is not anticipated by the AAPA. Since the NPL does not disclose or suggest the features recited in independent claim 51 which are lacking from the AAPA, dependent claims 52-55 are not obvious in view of the AAPA and the NPL.

## VIII. Conclusion

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance and an early notification thereof is earnestly requested. The Examiner is invited to contact the undersigned by telephone to resolve any remaining issues.

*The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.*

Respectfully submitted,

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